

# Battelle

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OFFICE OF PETITIONS

# Fax

**To: USPTO****From: C. M. Gegenheimer****Fax No: 571-273-8300****Fax No: 614-424-3864****Phone No:****Phone No: 614-424-4293****Company:****Total Pages: 6** (Including Lead Sheet)**Comments: Retroactive Corrections to Entity Fee Payments**

Patent Number: 7,193,124

Issue Date: 3/20/2007

Application Number: 09/758,716

Filed: 1/11/2001

Inventor(s): Coffee

Title: Method for Forming Material

Docket No.: BER-3.5.009/3714 - (13395)

**Faxed Documents:**

Fax Cover Sheet

Transmittal

Letter to Correct Entity Fee Payments

Fee Transmittal (in duplicate)

Credit Card Payment Form PTO-2038

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at (571)273-8300 on September 14, 2009.

  
Signature  
Date

Judy Readman

Typed or printed name of person signing Certificate

Document Description: Transmittal Letter

SEP 14 2009

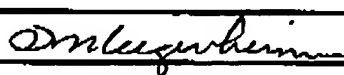
PTO/SB/21 (07-08)

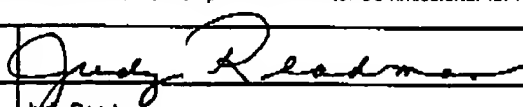
Approved for use through 07/31/2012. OMB 0651-0031  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/758,718	<b>RECEIVED</b>
	Filing Date	1/11/2001	
	First Named Inventor	Coffee	<b>SEP 18 2009</b>
	Art Unit	3772	
	Examiner Name	Kim M. Lewis	<b>OFFICE OF PETITIONS</b>
Attorney Docket Number	BER-3.5.009/3714 - (13395)		
Total Number of Pages in This Submission	8		

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Fax Cover Sheet; Transmittal (this form);
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Letter Regarding Correction of Entry Fees;
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Credit Card Payment Form PTO-2038
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
	Fee Transmittal (in duplicate)	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Battelle Memorial Institute	
Signature		
Printed name	C. Michael Gegenheimer	
Date	09/14/2009	Reg. No. 33,387

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Judy Readman	Date 09/14/2009

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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P.03

Retroactive Change in Entity Status

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant/Assignee: Battelle Memorial Institute	
Serial No: 09/758,716	Primary Examiner: Kim M. Lewis
Date Filed: 1/11/2001	Assistant Examiner:
Patent No.: 7,193,124	Inventors: Coffee
Date Issued: 3/20/2007	
For: Method for Forming Material	Docket No.: BER-3.5.009/3714 - (13395)

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OFFICE OF PETITIONS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

It has come to our attention that the above-referenced application/patent was prosecuted and maintained in good faith under small entity status, but that such status was established in error. As required under 37 CFR 1.28(c)(1) and (2), this document and the attached payment are submitted as a correction of that error.

Date of Payment	Fee	Amount Paid	Current Fee Amount for Large Entity	Amount Due
12/8/2006	Issue	\$700.00	\$1510.00	\$810.00
12/8/2006	Publication	\$300.00	\$300.00	\$0.00
		Total Due		\$810.00

If there are any questions, please contact the undersigned at 614-424-4293.

Respectfully submitted,

By: 

Name: C. Michael Gegenheimer

Reg. No.: 33,387

Date: 9/14/2009

09/17/2009 DALLEN 00000015 09758716

01 FC:1461

810.00 OP

PTO/SB/17 (10-08)

Approved for use through 08/30/2010, OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2009**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 810.00

**Complete If Known**

Application Number 09/758,716  
 Filing Date 1/11/2001  
 First Named Inventor Coffee  
 Examiner Name Kim M. Lewis  
 Art Unit 3772  
 Attorney Docket No. BER-3.5.009/3714 - (13395)

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**METHOD OF PAYMENT (check all that apply)**
☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

Each independent claim over 3 (including Reissues)

52

26

Multiple dependent claims

220

110

**Total Claims****Extra Claims****Fee (\$)****Fee Paid (\$)**

- 20 or HP =

x

=

=

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims****Extra Claims****Fee (\$)****Fee Paid (\$)**

- 3 or HP =

x

=

=

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

**Total Sheets****Extra Sheets****Number of each additional 50 or fraction thereof****Fee (\$)****Fee Paid (\$)**

- 100 =

/ 50 =

(round up to a whole number) x

=

=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

**Fees Paid (\$)**

Other (e.g., late filing surcharge): Correction to Entity Fees Paid

810.00

**SUBMITTED BY**

Signature *Michael Gegenheimer* Registration No. 33,387 Telephone 614-424-4293  
 Name (Print/Type) C. Michael Gegenheimer Date 9/14/2009

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DUPLICATE

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PTO/SB/17 (10-08)

Approved for use through 06/30/2010, OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4810). <b>FEE TRANSMITTAL</b> <b>For FY 2009</b>		<b>Complete if Known</b> Application Number 09/758,716 Filing Date 1/11/2001 First Named Inventor Coffee Examiner Name Kim M. Lewis Art Unit 3772 Attorney Docket No. BER-3.5.009/3714 - (13395)	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		RECEIVED SEP 18 2009 OFFICE OF PETITIONS	
TOTAL AMOUNT OF PAYMENT (\$) 810.00			

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	52	26
Each independent claim over 3 (including Reissues)	220	110
Multiple dependent claims	390	195

Total Claims \_\_\_\_\_ Extra Claims \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 HP = highest number of total claims paid for, if greater than 20.

Indep. Claims \_\_\_\_\_ Extra Claims \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_  
 HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

\_\_\_\_\_ - 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_ = \_\_\_\_\_

**4. OTHER FEE(S)**

Description	Fee (\$)	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)		
Other (e.g., late filing surcharge): Correction to Entity Fees Paid		810.00

**SUBMITTED BY**

Signature <i>C. Michael Gegenheimer</i>	Registration No. 33,387 (Attorney/Agent)	Telephone 614-424-4293
Name (Print/Type) C. Michael Gegenheimer		Date 9/14/2009

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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